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Andrew J. Spano
County Executive

Office of the County Attorney

Charlene M. Indelicato
County Attorney

MEMO ENDORSED

March 29, 2008

Via Facsimile (914) 390-4179

Honorable Stephen C. Robinson
United States District Court Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: Daniel McGuire v. Village of Tarrytown, et al
08 CV 2049 (SCR)

Dear Judge Robinson:

This office represents Shameka Taylor and Westchester County[1] ("County Defendants") in the above referenced case. Pursuant to Rule II.A.3 of your Individual Practices, please accept this letter as a proposed briefing schedule for the Defendants' Pre-Answer Motions to Dismiss the Complaint in the above referenced case.

After consulting with all parties, the following briefing schedule is proposed for your consideration:

1. Defendants' Motions to Dismiss to be served by April 30, 2008.
2. Plaintiff's opposition to the motions due by May 30, 2008.
3. Defendants' replies due by June 13, 2008.

As the County Defendants' motion to dismiss will raise the defense of absolute prosecutorial immunity, it is also respectfully requested that discovery be stayed until the motions are decided.

[1] The Complaint also names "District Attorney's Office, County of Westchester" as a defendant. However, the real party in interest is Westchester County, as the District Attorney's office is not an entity capable of being sued.

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Thank you for your consideration in this matter. Should you have any questions, please feel free to have a member of your staff contact me at (914) 995-3740. Should you need to speak to someone at this office between March 31, 2008 and April 8, 2008, please contact Associate County Attorney Carol Arcuri at (914) 995-2696, as I will be on vacation during that time.

Very truly yours,

Shannon S. Brady
Senior Assistant County Attorney

SO ORDERED:
Stephen C. Robinson
USDJ 4/2/08

cc: *Via Electronic Mail*
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